

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 26 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

OREGON CATTLEMEN'S
ASSOCIATION,

Plaintiff-Appellee,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY; et al.,

Defendants-Appellees,

COLUMBIA RIVERKEEPER,

Intervenor-Defendant-Appellant.

No. 19-35792

D.C. No. 3:19-cv-00564-AC
District of Oregon,
Portland

ORDER

Before: CANBY, GOULD, and WATFORD, Circuit Judges.

Appellant's motion to dismiss this appeal as moot (Docket Entry No. 16) is granted. *See United States v. Tanoue*, 94 F.3d 1342, 1344 (9th Cir. 1996) (“[A]n appeal must be dismissed as moot if an event occurs while the appeal is pending that makes it impossible for the appellate court to grant any effective relief whatever to the prevailing party.” (internal quotation marks and citations omitted)).

We remand to the district court with instructions to vacate the July 26, 2019 preliminary injunction. *See United States v. Munsingwear, Inc.*, 340 U.S. 36, 39 (1950).

DISMISSED.